

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION**

**JONES et al.,**

**Plaintiffs,**

**v.**

**VARSITY BRANDS et al.,**

**Defendants.**

**Case No. 2:20-cv-02892-SHL-tmp**

**JOINT MOTION TO PERMIT THE DEPOSITION OF CURRENT AND FORMER  
EMPLOYEES OF BAIN CAPITAL PRIVATE EQUITY, LP AND CHARLESBANK  
CAPITAL PARTNERS, LLC TO TAKE PLACE ON OR BEFORE MAY 7, 2022,  
SUPPORTING MEMORANDUM AND CERTIFICATE OF CONSULTATION**

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The Parties, through their respective counsel of record, move this Honorable Court to permit the deposition of current and former employees of Bain Capital Private Equity, LP (“Bain”) and Charlesbank Capital Partners, LLC (“Charlesbank”) to be taken after the close of fact discovery in the above-captioned matters and all other matters subsequently consolidated with them (collectively, the “Actions”). In support of this motion, the Parties states as follows:

1. The close of fact discovery is April 18, 2022. [ECF No. 175.]
2. On December 13, 2021, this Court granted in part and denied in part Plaintiffs’ motion to compel production of documents from Bain and Charlesbank, which production is ongoing but not yet complete. [ECF No. 174.]
3. Plaintiffs wish to take the deposition of certain current and former employees of Bain and Charlesbank and to do so with the benefit of those productions.
4. Accordingly, the parties have agreed that, subject to Court approval:
  - a. Bain and Charlesbank shall substantially complete their respective production of documents as ordered by the Court in ECF No. 174 by April 1, 2022.
  - b. Any depositions of current or former employees of Bain or Charlesbank shall take place on or before May 7, 2022, or at such other time as the parties may mutually agree.
5. The parties are not seeking to modify any other deadlines in the Amended Scheduling Order (ECF No. 175) as a result of any depositions of current or former employees of Bain or Charlesbank taking place after the close of fact discovery.
6. All Parties consent to the relief requested in this Motion.

**WHEREFORE**, the Parties respectfully move that the agreement described above in Paragraph 4 be entered as an Order of the Court.

The undersigned hereby certifies that on March 15, 2022, pursuant to Local Rule 7.2(a)(1)(B), the Parties consulted regarding the issues raised in this motion, and all Parties consent to the relief requested.

A proposed order granting the Joint Motion to Permit the Deposition of Current and Former Employees of Bain Capital Private Equity, LP and Charlesbank Capital Partners, LLC to Take Place on or Before May 7, 2022 is being emailed to Judge Lipman.

Dated: March 15, 2022

By: /s/ Joseph R. Saveri

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